PAGE 01

FEB 03 2011

SMITH BRANDENBURG LTD

905 OHIO PIKE CINCINNATI, OHIO 45245 USA

**ATTORNEYS** MARK F. SMITH GEORGE P. BRANDENBURG

513-379-6846 (PHONE) 513-762-5350 (FACSIMILE) MARKS@SBTECHNOLOGYLAW.COM (EMAIL)

> TECHNICAL CONSULTANT PAUL E. THOMSON, M.D. PAMELA A. MENGES, PHD. ALEXANDRA K. SMITH PARALEGAL ANIKO P. SMITH OFFICE MANAGER & PARALEGAL

DATE:

February 3, 2011

TO:

USPTO

ADDRESS:

Commissioner for Patents

Mail Stop: {ETITION

P.O. Box 1450 Alexandria, VA 22313-1450

**SENDER'S DIRECT DIAL NO.:** (513) 379-5846

Fax: (513) 752-5350

TOTAL NUMBER OF PAGES: 8

ADDITIONAL INFORMATION: Patent Application No. 10/598,764, Entitled: AUTOMATED NEUROAXIS (BRAIN AND SPINE) IMAGING INTERATIVE SCAN PRESCRIPTIONS, ANALYSIS RECONSTRUCTIONS, LABELING, SURFACE LOCALIZATION AND GUIDED INTERVENTION

Attached hereto are the following: Certificate of Transmission Under 37 CFR 1.8; Credit Card Payment Form; Petition To Accept Unintentionally Delayed Claim For The Benefit Of A Prior-Filed International Application Under 37 CFR 1.78(3); Mark F. Smith Mal Smith (32, 187) Supplemental Amendment.

FAX TO:

Name

Fax Number

USPTO

571-273-8300

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return original message to us at the above address via the U.S. Postal Service. Thank you.

SBTECHNOLOGY LAWSM Science, Business, Technology & the Law

FEB 03 2011

PTO/SB/97 (07-09) Approved for use through 07/31/2012. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Peperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8 I hereby certify that this correspondence is being facsimile transmitted to the United. States Patent and Trademark Office February 3, 2011 on Date Mark F. Smith Typed or printed name of person signing Certificate 32,437 513-379-5846 Registration Number, if applicable Telephone Number Patent Application No: 101598,764 Filed: 11/21/2006 (of Record) + (PETTON: 9/11/06) Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper. ATTACHED HERETO: CREDIT CARD PAYMENT FORM PETITION TO ACCEPT UNINTENTINALLY DELICYED CLAIM FOR THE BENEFIT OF A PRIOR-FILED INTERNATIONAL APPLICATION UNDER 37 CFR 1.78 (3)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SUPPLEMENTAL AMENDMENT